

A widow will be preferred to a married woman. *Slay v. Beck*, 107 Md. 361.
 Cited but not construed in *Williams v. Addison*, 93 Md. 45; *Pollard v. Mohler*, 55 Md. 289; *Georgetown College v. Browne*, 34 Md. 455.
 See notes to sec. 19.

An. Code, 1924, sec. 28. 1912, sec. 28. 1904, sec. 28. 1888, sec. 28. 1798, ch. 101, sub-ch. 5, sec. 20.

29. Where a female is entitled, administration may be granted to her and her husband, provided he be capable.

This section referred to in construing sec. 28—see notes thereto. *Smith v. Young*, 5 Gill, 205.

Cited but not construed in *Williams v. Addison*, 93 Md. 45; *Pollard v. Mohler*, 55 Md. 289; *Georgetown College v. Browne*, 34 Md. 455.

See notes to sec. 19.

An. Code, 1924, sec. 29. 1912, sec. 29. 1904, sec. 29. 1888, sec. 29. 1798, ch. 101, sub-ch. 5, sec. 21.

30. Relations on the side of the father shall be preferred to relations on the side of the mother in equal degree.

Cited but not construed in *Williams v. Addison*, 93 Md. 45; *Pollard v. Mohler*, 55 Md. 289; *Georgetown College v. Browne*, 34 Md. 455.

See notes to secs. 19 and 23.

An. Code, 1924, sec. 30. 1912, sec. 30. 1904, sec. 30. 1888, sec. 30. 1798, ch. 101, sub-ch. 5, sec. 22.

31. If there be no relations administration shall be granted to the largest creditor applying for the same.

This section referred to in holding that relatives living in Greece of a deceased resident of that country who died in Baltimore, were not entitled either to notice before the grant of letters of administration in Baltimore to a citizen of this city, or to have such letters revoked; rights of consul general and his representative not superior to those of such relatives. Courts bound by treaties; construction thereof. *Chryssikos v. Demarco*, 134 Md. 536.

Upon failure to those first entitled to administration to apply, letters may be granted to largest creditor applying. *Lang v. Wilmer*, 131 Md. 227.

This section relates to cases of intestacy, since it forms one of a series of sections providing for issue of letters "wherever any person shall die intestate." Hence if there be a will and a residuary legatee who applies for letters, a creditor cannot be appointed. See note to sec. 35. *McCaughy v. Byrne*, Adm., 115 Md. 88.

Where a party pays the intestate's funeral expenses and thereby becomes the only creditor, he is entitled to letters. *Lentz v. Pilert*, 60 Md. 299.

Where a creditor is such in a representative capacity only, he is not a creditor within the meaning of this section. *Glenn v. Reid*, 74 Md. 241.

The largest creditor is not entitled to be notified or summoned—see sec. 33. This section referred to in construing sec. 258. *McGuire v. Rogers*, 71 Md. 589.

Cited but not construed in *Williams v. Addison*, 93 Md. 45; *Dalrymple v. Gamble*, 66 Md. 308; *Pollard v. Mohler*, 55 Md. 289; *Carpenter v. Jones*, 44 Md. 628; *Georgetown College v. Browne*, 34 Md. 455.

As to the appointment of an administrator in order to secure the payment of the collateral inheritance tax, see art. 81, secs. 130 and 131.

See notes to sec. 19.

An. Code, 1924, sec. 31. 1912, sec. 31. 1904, sec. 31. 1888, sec. 31. 1798, ch. 101, sub-ch. 5, sec. 23.

32. If there shall be neither husband, nor wife, nor child, nor grand-child, nor father, nor brother, nor sister, nor mother, or if these be incapable, or decline, or refuse to appear on proper summons or notice, or if other relations and creditors shall neglect to apply, administration may be granted at the discretion of the court.¹

¹ For cases construing sec. 32 of Codes of 1860 and 1888, as amended by act of 1892, ch. 571—the section as amended being now repealed—see *Hunter v. Hersperger*, 96 Md. 294; *Wilkinson v. Robertson*, 85 Md. 447; *Moore v. Taylor*, 81 Md. 648; *In re Lee's Estate*, 76 Md. 110; *McColgan v. Kenny*, 68 Md. 260; *Brown v. Bokee*, 53 Md. 163; *Mobray v. Leckie*, 42 Md. 477; *Hubbard v. Barcus*, 38 Md. 181; *Stockett v. Bird*, 18 Md. 489.